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Refugee Reports

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CONGRESS FUNDS MORE FY 89 REFUGEE ADMISSIONS ORR GETS NO NEW MONEY

Congress has approved a supplemental appropriations bill giving the State Department $85 million to admit an additional 22,500 refugees in FY 89. But, for the second year in a row, no new funding has been provided to the Office of Refugee Resettlement (ORR) for domestic resettlement services to the new arrivals. And with the Administration proposing a $140 million cut in the ORR budget for FY 90, state refugee officials are protesting loudly that the federal government is trying to transfer the financial burden for resettlement services onto the backs of local communities.

In late May, following private consultations with Attorney General Dick Thornburgh, the House and Senate Judiciary Committees formally approved the Bush Administration's request for 22,500 new admissions numbers, in order to accommodate increased resettlement needs for Jews, Christian Pentecostals, and Armenians emigrating from the Soviet Union. This brings the FY 89 worldwide admissions ceiling to 116,500, which includes 4,000 unfunded numbers available for private sponsorship.

On May 24, the House passed a $3.7 billion Dire Emergency Supplemental Appropriations bill (H.R. 2072), which provided $85 million for refugee admissions and another $15 million for refugee relief and assistance overseas in FY 89. The $85 million covers overseas processing and admissions costs for 22,500 additional refugees as well as providing full federal funding to 6,000 existing admissions spots that previously had been "semi-funded."

Of the 28,500 additional, fully funded admissions numbers, 24,500 have been allocated to the Soviet Union, 3,500 have been restored to the Southeast Asian regional ceiling, and 500 returned to the Near East/South Asia region (see Refugee Reports, Vol. X, No. 4). The Asian numbers had been transferred by the State Department last December to bolster Soviet admissions.

The Senate passed its own version of the supplemental funding bill on June 7, which also adds $100 million to the State Department refugee account but differs substantially from the House bill in other

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areas. A conference committee, comprising members of both the House and Senate, was expected to meet the week of June 12 to resolve the differences in the two bills but had not done so at press time.

No New Funding for ORR So Far This Year When the Administration first proposed supplemental funding and admissions numbers for FY 89 in April, it requested no new money for ORR. Instead, the Administration proposed transferring $21.9 million within the existing ORR budget. The funds will be removed from the line item for refugee cash and medical assistance (CMA) and transferred to the voluntary agency matching grant program.

Under the matching grant program, which traditionally has been employed to resettle Soviet Jews but is open to all refugees, ORR will match up to $957 per refugee in cash and in-kind contributions generated by private voluntary agencies.

As a result of this reprogramming of funds, ORR will need to reduce the period of full federal reimbursement to states for cash and medical assistance from 24 months to 18 months, Catherine Bertini, acting assistant secretary for Family Support in the Department of Health and Human Services (HHS), told the House refugee subcommittee on April 6.

The response from Congress was largely critical. In a May 26 letter to President Bush, Sens. Joseph R. Biden, Jr. (D-Del.) and Edward M. Kennedy (D-Mass.) said the Administration's plan "places an unreasonable burden upon the states and local communities...[and] evades the federal government's responsibility to fully fund existing resettlement programs while admitting even more refugees." The letter urged Bush "to either support additional domestic funding, or to adjust refugee admissions levels in accordance with the amount of funding available."

In a May 24 speech on the House floor, Rep. Howard Berman (D-Cal.) said that without adequate federal support for refugee resettlement, "we are inviting states and cities to hang out a shingle--'refugees not welcome here.'" Berman urged the Senate to include provisions for domestic resettlement costs in its version of the supplemental appropriations bill.

HHS officials testified in May that the Department had sought an additional $22 million but was rejected by the Office of Management and Budget (OMB). And, despite what appears to be significant support in Congress for supplemental ORR funding in FY 89, neither the House nor the Senate offered any amendments to that effect on the emergency appropriations bill.

One source told Refugee Reports that the House and Senate appropriations subcommittees for Labor-HHS-Education have required that any money added during this fiscal year must be offset by a reduction in another domestic program. "There was no money," the source said, "A lot of programs are being squeezed pretty hard."

Nevertheless, a roundabout form of relief for ORR may be in the works in Congress. A Senate Appropriations Committee report accompanying H.R. 2072 stated that "It is the Committee's intent to consider additional amounts for the Office of Refugee Resettlement to cover any FY 89 shortfall as part of the regular FY 90 Labor-HHS-Education appropriations bill." A Congressional source told Refugee Reports that if Congress follows through on this, it would appropriate an additional $22 million for the FY 90 matching grant program and then spend it retroactively to cover FY 89 costs.

States Upset at Growing Share of Resettlement Burden Even if retroactive funding is made available for FY 89, state refugee officials say, that still would not offset the trend to increase the state and local share of resettlement costs. After analyzing ORR cash and medical assistance data, Ron Spendal, state refugee coordinator for Oregon, concluded that $18.3 million in resettlement costs were shifted to the states in FY 86 when, on March 1 of that year, ORR reduced the CMA reimbursement period from 36 months to 31 months.

States absorbed $30.6 million in CMA costs the following year, Spendal told Refugee Reports. On February 1, 1988, ORR further reduced the federal reimbursement period from 31 months to 24 months, and the states assumed another $74.4 million in costs that year. In FY 89, the transferred costs will climb to nearly $100 million, he said.

"That's just the cash and medical assistance costs," Spendal said. "On a per capita basis, the federal budget for refugee

SENATE FUNDING BILL INCLUDES NICARAGUANS IN TARGETED ASSISTANCE PROGRAM

A number of states, and California in particular, have expressed opposition to an amendment in the Senate version of the emergency funding bill that designates at least some Nicaraguans in the United States as "entrants" and includes them within the definition of refugee. The term "entrant" previously applied only to specific groups of Cubans and Haitians.

A Senate report on H.R. 2072 said, "This will permit Nicaraguan entrants to be considered in the allocation of funds under the refugee targeted assistance program." The request was not considered by the House, the report said, "due to late transmittal by the Administration."

A Congressional source told Refugee Reports that it was OMB's idea to propose that Nicaraguans be included in the refugee population eligible for targeted assistance. Currently, the targeted assistance program is funded at $34 million, which is distributed among 10 states and a total of 41 counties.

According to Phil Holman, acting director of ORR, the Administration's working definition of Nicaraguan entrant is someone who entered the United States between 1983 and 1988 and has applied for political asylum. An estimated 62,844 Nicaraguan entrants live in states and counties eligible for targeted assistance, Holman said, with 40,899 in Florida, 17,626 in California, and 922 in Texas.

Both California senators denounced the proposal in June 7 floor speeches and urged that it be deleted when the conference committee met on the bill. Sen. Alan Cranston (D-Cal.) said the provision was "ill-conceived" and "bad policy" in that it "seeks to resolve a problem caused by the recent influx of Nicaraguan entrants...in such a way that more problems will be created than solved."

Cranston said that the targeted assistance program (TAP), created and funded for refugees, not political asylees, was already stretched to capacity. In Los Angeles County, TAP funding per refugee arrival has fallen from $1,362 in FY 83 to $171 in FY 88, he said.

"Given the problems with securing adequate funding for targeted assistance programs," Cranston said, "and the fact that President Bush has proposed eliminating this program in his 1990 budget, it makes no sense at all to propose allocating very limited TAP resources to accommodate an even larger population than that currently served."

"If we are going to establish a precedent of allocating resources for refugee programs based on the numbers of people seeking political asylum," Cranston continued, "then fairness dictates that we do so for all political asylees instead of singling out asylees from a specific country."

One state refugee official, who called the proposal "deeply cynical" and a "slapdash way of looking at a serious problem," estimated that less than $100 per person would be available for TAP services.

"There has been no decision on a final formula for allocating the money," Holman said. "We are waiting to see whether this is included in the final bill." He did say, however, that a "major portion" of the available funds would go to Florida.

"This was the Administration's proposal, not ours," said Bob Rogan, legislative assistant to Sen. Bob Graham (D-Fla.). "The entire Florida delegation has been lobbying for assistance for Nicaraguans but it was not our goal to take money from California." Besides, he said, the targeted assistance money "is a crumb. We need a lot more than that."

Graham has introduced a bill, cosponsored by Sen. Connie Mack (R-Fla.), that would amend the Immigration and Nationality Act to allow the Attorney General to release up to $20 million from the Immigration Emergency Fund to communities impacted by the recent influx of asylum seekers.

"Impact aid is desirable but no substitute for protected status and work authorization," said Rick Swartz, former president of the National Immigration, Refugee, and Citizenship Forum. "Enactment of Moakley-DeConcini is the only pragmatic approach to meeting the needs of the refugees and the communities."
(See Recent Developments)

STOP PRESS: Refugee Reports learned at press time that the House-Senate conference committee on H.R. 2072 has deleted the Nicaraguan amendment.

social services and preventive health has also been declining."

Figures provided by the County of Los Angeles, Chief Administrative Office indicate that domestic federal funding per refugee arrival has dropped from about $11,000 in FY 83 to $3,200 in FY 89 (see chart on back page). In FY 87, federal funds provided $5,100 per refugee arrival. That was the last year in which the ORR budget matched the actual, end-of-year level of refugee admissions.

In FY 88, the U.S. government decided to admit an additional 15,000 refugees, primarily Armenians, from the Soviet Union but no additional funding was provided to either the State Department or ORR. In FY 89, the State Department will receive supplemental funds but ORR may still get nothing.

"The Administration tells us that it's better than last year, because at least there is some money for the international aspects of the program," said Susan Greene, a senior policy analyst with the National Governors Association (NGA). "We feel it is more of a slap in the face. The message is: 'The states will pick up the tab.'"

According to Spendal's calculations, even if additional money is found in FY 89, ORR will not be able to reimburse states for a full 24 months of refugee CMA this year. "Taking historical spending patterns and projecting them forward," Spendal said, "the cost of providing cash and medical assistance to 112,500 refugees will be about $62.5 million more than ORR has budgeted this year."

In order to maintain social services and preventive health services at last year's levels, Spendal said, ORR would need an additional $28.1 million.

The ORR budget for FY 89 refugee cash and medical assistance is $261.8 million, including state administration costs. Its total refugee budget this year is $382.4 million (see Refugee Reports Volume X, No. 2). An HHS spokesperson declined to comment on Spendal's figures, except to say that Bertini's April 6 statement reflected the department's current position on FY 89 budget needs.

FY 90 Budget is the "Real Battleground" Say the States All the debate on the FY 89 ORR budget may only be skirmishes leading to what NGA's Greene called the "real battleground" of the FY 90 budget. ORR has requested a total of $242.3 million dollars to resettle a projected 84,000 refugees next year. Federal reimbursement for state cash and medical assistance costs would be reduced from 24 months to 15 months. Employment services, formerly called social services, would be cut in half from $64 million to $30 million. Funding for the targeted assistance program would be eliminated and large cuts would be made in preventive health and the matching grant program.

"All of the assumptions reflected in this budget are false," Spendal said. "Refugee admissions are likely to be well over 100,000, and every line-item in the budget is already far below the real costs and the real needs. OMB has simply established an arbitrary figure and ORR is forced to manipulate its budget to fit that."

Spendal said it was time for Congress to take a "good look" at national resettlement policy. "The last time they did that was in 1982," he said. "We need to look at the whole picture again, this time with an extensive amount of state input, since we are now substantial contributors to the resettlement program."

Wayne Johnson, chief of the Bureau of Refugee Programs in Iowa, said that good resettlement is based on partnerships between the public and private sectors and between the federal government and the states. "In 1975, Iowa jumped into this program at the request of the federal government," Johnson told Refugee Reports. "We came in willingly and the state has gained tremendously from the program, but the federal government keeps trying to back out. We're real conservative out here. We still believe a marriage should be forever."

Recent Developments

HOUSE AMENDS MOAKLEY SAFE HAVEN BILL FOR SALVADORANS AND NICARAGUANS

The Moakley/DeConcini bill calling for a temporary stay of deportation for Nicaraguans and Salvadorans in the United States underwent significant changes during mark-up in the House Subcommittee on Immigration,

Refugees, and International Law.

Subcommittee Chairman Bruce A. Morrison (D-Conn.) introduced the amending language, which adds elements from a generic safe haven bill introduced in the previous session of Congress by the former chairman of the subcommittee, Rep. Romano L. Mazzoli (D-Ky.). (See Refugee Reports, Vol. VIII, No. 11 and Vol. IX, No. 10.)

Under H.R. 45, the "Central American Studies and Temporary Relief Act of 1989," as introduced by Rep. Joe Moakley (D-Mass.) on January 3, eligible Nicaraguans and Salvadorans could not be deported for a two-year period while the General Accounting Office (GAO) studies the conditions of displaced nationals of El Salvador and Nicaragua.

The new version establishes a "temporary protected status" for a three-year period, independent of the GAO study. It also establishes a cut-off date of March 1, 1989, which Morrison said was intended to prevent this legislation from becoming a magnet for more Central American migration.

The amended bill was reported to the Judiciary Committee without recommendation, as the vote on the amended version of the bill was a 5-to-5 tie vote. Rep. Mazzoli voted against the bill, along with all Republican members of the subcommittee.

Mazzoli continued to maintain that safe haven should be addressed generically, and not specify particular countries, which he said would deviate from the Refugee Act of 1980. Mazzoli has reintroduced his generic bill (H.R. 1355), but Morrison said that the bill would not be taken up until later in the year. "A non-country-specific bill is a nice idea," said Morrison, "but it provides no relief for these individuals" from El Salvador and Nicaragua.

Moakley Bill Will Entail Registration for Beneficiaries H.R. 45 requires eligible Nicaraguans and Salvadorans to register with the government in order to be granted work authorization and protection from deportation. In the amended version, they will be required to re-register annually, and can have their benefits rescinded for failure to do so.

Morrison told Refugee Reports that people who are in the United States "in illegal, indefinite status ought to be known to the government." He said, "The fact of the matter is that these people are here, and that our government does not have the desire or the will to send them home." He suggested that by requiring these people to come forward and register for work authorization, they could be deported later if the situation in Central America significantly improves.

James P. McGovern, legislative assistant to Moakley, who has been the House staff person most actively working for this bill during the past several years, termed the subcommittee action "a victory." He said, "This [subcommittee vote] was our toughest hurdle." He expressed optimism about the bill's future in the House, which has passed the bill in two previous sessions.

The key swing vote this time around was Rep. John Bryant (D-Tex.), who said, "I very reluctantly support this bill this year." He said that he doubted that many of the Central Americans crossing into Texas are refugees, and attributed the major increase in Nicaraguan arrivals in late 1988 to Voice of America broadcasts saying that Nicaraguans would be treated leniently. But, he said, "it is clear to me that they will not be deported, and could remain a permanent underclass. This bill allows us to identify where they are. Otherwise they will never go home."

Rep. Bill McCollum (R-Fla.), who recently returned from observing the elections in El Salvador, was one of the most vocal opponents of the bill. He acknowledged that "we are largely responsible for the Nicaraguans," and said he would be "sorely tempted" to support them. But, he said, "I do not see it the same for Salvadorans." He said that he was impressed with the strength of democracy in El Salvador, and that the "vast majority [of Salvadorans] could not qualify as refugees." He said that it would be bad policy to grant safe haven on economic grounds.

Rep. Howard Berman (D-Cal.) challenged McCollum's reading of the situation in El Salvador, saying that 50,000 had been killed in the continuing civil war, and that the elections should be viewed in that context. Berman asked rhetorically, "Do you think their motivation and fears to flee from brutality in war-torn areas of El Salvador are less credible [than Nicaraguans']?"

McCollum answered, "I was in the con-

flict areas, in the same areas where soldiers' bodies who had been shot that morning were still lying around. But the people were not afraid."

Morrison said that applying the refugee standard to this legislation is the wrong analogy and that it is specifically intended for people who do not meet the "well-founded fear of persecution" test. He pointed out that the more relevant analogy in current practice for "temporary protection status" would be the Attorney General's discretion to grant extended voluntary departure (EVD) status. This temporary stay of deportation has been applied to other nationality groups, such as Poles, "even when they are not in fear for their lives." (See Refugee Reports, Vol. VIII, No. 7.)

HOUSE HEARING LOOKS AT HAITIAN INTERDICTION, DETENTION

The House Subcommittee on Immigration, Refugees, and International Law held a hearing on Haitian interdiction and detention on June 8. Four panels testified, including members of Congress; the Administration (the Immigration and Naturalization Service, State Department, and Coast Guard); Miami officials and representatives of Haitian advocacy organizations; and legal experts.

Rep. Dante Fascell (D-Fla.), chairman of the Foreign Affairs Committee, the first witness to testify, said, "We have to eliminate what on its face--in reality and perception--is a discrimination. Period." Fascell said that the various legal definitions governing U.S. asylum policy "might look good on paper" but that they frequently resulted in disparities in the treatment of Haitians.

They Aren't Refugees, the Government Says The Administration witnesses' general response to such criticisms was that the Haitians under question have not articulated a credible claim for refugee status, that virtually all interdicted Haitian have been economic migrants, not refugees.

James L. Buck, deputy commissioner of the INS, testified, "Since the Interdiction Operation began in October 1981, more than 350 vessels carrying over 20,000 persons have been interdicted. Of that figure, only a handful of these persons were found to have a possible claim of persecution and were brought to the U.S. to pursue their asylum claims before an Immigration Judge."

Buck added, "As the numbers show, most come for a job, for a better place to live."

Alan J. Kreczko, deputy legal advisor for the Department of State, said, "Economic dislocation in itself does not constitute persecution."

Treatment of Haitians Shows Double Standard, Morrison Charges "In my opinion," said Rep. Bruce A. Morrison (D-Conn.), chairman of the refugee subcommittee, "Haitians have been singled out for especially harsh treatment, whereas other nationalities get favored treatment."

Morrison said, "Next week in Geneva the United States will be talking about boat people in Southeast Asia saying don't forcibly repatriate Vietnamese who do not meet the refugee standard. How does the standard differ for Haitians and Vietnamese?"

Kreczko answered that, unlike Haiti, Vietnam refuses to take individuals back; that the U.S. opposition to forced return of Vietnamese is part of "a comprehensive plan of action for the region"; and that, from a human rights standpoint, the State Department has a different assessment of the situation in Haiti and Vietnam.

Exclusion Versus Deportation Morrison questioned the distinction between "exclusion" and "deportation", calling it a "legal fiction that doesn't comport with reality." He said that some aliens who haven't entered are treated as though they had, while others who are physically present in the United States are treated as though they are not.

"Exclusion" is the legal status that applies to aliens who have not yet entered the United States, such as arrivals at an airport. Their rights are limited, since the alien has the burden of proof to show why he should be admitted. The law provides that excludable aliens "shall be detained." On the other hand, the burden of proof shifts to the government in deportation cases, to show why the alien should be removed. Deportable aliens are accorded more due process rights than excludable aliens, and, those seeking asylum have generally been able to "bond out" of detention while their cases are pending. Most Haitians are placed in exclusion rather than deportation

proceedings.

Arthur Helton, director of the Political Asylum Project of the Lawyers Committee for Human Rights, recommended that the distinction between exclusion and deportation be abolished legislatively.

Deputy INS Commissioner Buck said that "the cost to the taxpayer would be extreme" if the distinction were to be abolished.

Morrison asked why Haitians interdicted within U.S. territorial waters are put in exclusion proceedings, rather than deportation proceedings, given that U.S. territorial waters are considered to be part of U.S. territory, which they have entered if they are within the three (or twelve) mile limit.

No Administration witnesses were able to answer the question, and said they would respond in writing.

Alternatives to Boat Exodus A comment by Buck that "the United States has a fully staffed embassy in Port-au-Prince, and any Haitian can apply for asylum in that embassy" drew fire from Morrison, who pointed out that Haitians do not have a legal right to apply either as an asylee or a refugee at the U.S. embassy in Haiti. He asked Buck whether Haiti was a designated country of "special humanitarian concern" by the United States (for purposes of refugee admissions). Kreczko acknowledged, "We do not have a refugee program for Haiti."

Morrison pointed out that Haitians with a well-founded fear of persecution have no options but to flee the country. He said that the 3,500 U.S. refugee admissions slots for Latin America and the Caribbean were virtually all allotted to Cubans.

Morrison asked whether the Administration had given any thought to a form of protection during the 6-month period of turmoil in Haiti in 1987 prior to the elections when about 500 people were killed similar to that which had recently been granted for Chinese residents in the United States.

Buck said, "I don't believe to my knowledge there were any deportations in that period of time and no interdictions."

Refugee Reports checked U.S. Coast Guard interdiction statistics for the period June-December 1987, and found that 2,781 Haitians were interdicted, of whom 2,761 were returned directly. The remaining 20 were believed to have been brought ashore for medical reasons. In addition, 99 Haitians were deported to Haiti during that same six month period and 48 required to depart to Haiti, according to the INS. Exclusion statistics were not available.

Are Returned Haitians Persecuted? Buck testified that "not a single case out of the 18,000 returned has been presented of a person who suffered harm as a result of an attempt to leave Haiti."

That point was challenged by Jocelyn Mc Calla, executive director of the National Coalition for Haitian Refugees, who presented sworn affidavits from Haitians who had been interdicted and returned to Haiti. One affidavit, from "Jean L." reads:

"Even though we did not organize many of these demonstrations [in 1986, protesting the policies of the National Government Council, known as CNG], we took part in them. Thinking that we were the leaders, the government often tried to bribe us, and regularly sent military envoys to threaten us and our children with death.... On December 8, 1986, the army arrested me.... I spent two days in jail before they released me.... But the troops would not let me live in peace. On July 2, 1987, troops went into Raboteau and started firing with little care for the lives of children, women, and the elderly.... They raided my house, and ransacked it. In addition, they raped my [common-law] wife.

"On September 9, 1987, the government again sent its troops to arrest us. We went into hiding....

"Finally, after all our struggle to change the country and the prospect that the authorities could murder us at any time, we decided to risk our lives at sea. I and many others organized a voyage on September 12, 1988, one day after the massacre perpetrated by Namphy regime and paramilitary death squads in St. Jean Bosco church, in Port-au-Prince.... Ten days later, the U.S. Coast Guard intercepted us at sea. This is when I learned that the Namphy government had been overthrown by a group of soldiers.... However, the [U.S.] immigration inspector who interviewed me declared that since there was a new government, they will return me to Haiti. They refused to admit that I had a good reason to leave Haiti and that death threats were still hanging on my head.

"The U.S. Coast Guard returned me and

the others to Haiti. Since my return, I have been forced to move from house to house, never sleeping in the same place, in order to ensure that the army never learns of my whereabouts and arrests me."

Returnees Charge INS Does Not Ask about Fear of Persecution Affidavits collected by the National Coalition for Haitian Refugees also revealed irregularities aboard the Coast Guard Cutters. "David I.", a campaign worker for the Movement to Install Democracy, who went into hiding after the bloody 1987 election campaign, testified:

"The [the U.S. Coast Guard] forced us to board their ship. They stated that if we didn't get on board they would beat us to get us on board.... From the minute we boarded, they did not ask us ask us any questions. There were no immigration inspectors who asked us any questions. We were returned to Port-au-Prince on February 9, 1989, only after another Coast Guard brought 77 more Haitians aboard. It was only before we arrived at Port-au-Prince that they asked each person his name and where he lived. Which means that they never asked us our reasons for trying to leave the country, what might happen if they returned us, nor if we were afraid of persecution..."

Update

° On June 13, the opening day of the UN-sponsored International Conference on Indochinese Refugees in Geneva, Britain issued a formal demand for the forcible repatriation of Vietnamese asylum seekers, to begin no later than October, according to The New York Times.

The demand was seconded by Australia. Ironically, the only two nations to speak out against the idea were Vietnam and the United States. "Unless and until dramatic improvements occur in [Vietnam's] economic, social and political life, the United States will remain unalterably opposed to the forced repatriation of Vietnamese asylum seekers," said Deputy Secretary of State Lawrence S. Eagleburger, head of the American delegation to the conference.

Vietnam's Foreign Minister Nguyen Co Thach said, "We reject resolutely all forms of coercion. Coercion constitutes a violation of the Declaration of Human Rights and could only bring on unforeseeable consequences."

The Comprehensive Plan of Action, which the conference is expected to ratify, promotes voluntary repatriation but also states, "If after the passage of reasonable time, it becomes clear that voluntary repatriation is not making sufficient progress towards the desired objective, alternatives recognized as being acceptable under international practices would be examined."

British Foreign Secretary Sir Geoffrey Howe said that the continued surge of Vietnamese boat arrivals in Hong Kong--9,200 came in May and 2,300 in the first three days of June--had created an "intolerable" situation. Hong Kong authorities have housed the colony's population of 38,000 Vietnamese in army barracks, abandoned factories, and on ferry boats moored in the harbor.

On May 30, the goverment escorted 400 Vietnamese new arrivals to Tai A Chau, a nearly uninhabited island on the edge of Hong Kong's territorial waters, and left them there with fresh water and provisions. The island has no shelter, running water, toilets, or electricity.

"I had to resort to this," said Michael Hanson, Hong Kong's coordinator for refugees. "I simply had no room for these 400 people." He said the new plan "should not be assumed to be short term."

° On June 6, Attorney General Dick Thornburgh directed the Immigration and Naturalization Service (INS) to extend for up to one year the visas of Chinese citizens currently in the United States. This directive followed a weekend of violence in China, in which an estimated 3,000 Chinese students demonstrating for democratic reforms were killed by attacking Chinese troops in Beijing's Tiananmen Square.

INS estimates that there are about 70,000 Chinese students currently attending U.S. schools and nearly 250,000 Chinese who are visiting or on business in the country.

At a June 9 news conference, President Bush was asked if he was prepared to grant political asylum to Chinese students in the United States. "They're not seeking asylum," Bush replied. "Asylum is a kind of... legal status and that's not what they're

looking for. They don't want to flee China. They want to help change China."

Two days later, The New York Times reported that two officials at the Chinese consulate in San Francisco announced they were seeking political asylum, because they did not support what their government did to the demonstrators and they would not lie about what happened in Tiananmen Square as they had been requested to do.

"We won't fake it here," they were quoted as saying by an Associated Press reporter. "Before we are diplomats, we are Chinese and we are human beings." On June 14, the Washington Post reported that the two diplomats were undecided about applying for asylum in the United States.

Delia Combs, INS assistant commissioner for refugees, asylum, and parole, told a House hearing June 8 that Chinese will not be required to register for "deferred departure," but that they will have to come to INS offices for employment authorization.

° The Senate Judiciary Committee has approved legislation (S. 358) that would overhaul U.S. immigration law, capping legal immigration at 600,000 per year and creating a new class of "independent" immigrant visas for those without families in the United States who, nevertheless, possess other desirable qualifications, particularly needed job skills.

° In confirmation hearings on June 13, Jewel Lafontant, who has been nominated to succeed Ambassador Jonathan Moore as U.S. Coordinator for Refugee Affairs, indicated that she would not be taking the job of director of the Bureau for Refugee Programs (BRP) in the Department of State. "The Secretary of State will appoint a director" for BRP, Lafontant said. Moore had held both positions simultaneously.

Sen. Edward M. Kennedy (D-Mass.), chairman of the Senate subcommittee on immigration and refugee affairs, wrote a letter to Secretary of State James A. Baker, III on May 31 requesting that the U.S. Coordinator for Refugee Affairs and the BRP Director be staffed separately.

° Some 23,000 asylum seekers whose cases were pending or denied in the Los Angeles district have been given a second chance to apply for asylum as a result of a May 26 order by U.S. District Judge Terry J. Hatter, Jr. The order, stemming from a class action suit, Mendez v. Thornburgh, challenged the quick asylum adjudications of a special INS task force set up to make asylum determinations, saying that the plaintiffs were denied a meaningful chance to present their claims.

° Canadian Immigration Minister Barbara McDougall told a House of Commons immigration committee that the Canadian government has no intention of tracking people who are denied asylum after they have been returned to their home countries.

McDougall suggested that nongovernmental organizations, such as Amnesty International, would do "a better job than we do" of tracking returnees, the May 26 Toronto Globe and Mail reported. McDougall said, "Knowing the NGOs, they would swiftly let me know" if people being turned away by Canada were being killed or abused upon return.

Dan Heap, a member of parliament from the New Democratic Party charged that a number of people who have been sent back to their countries or origin have been roughed up or disappeared. He cited the case of a Somali who was imprisoned and beaten in Somalia following his rejection for political asylum in Canada.

° Several hundred Namibians were flown to Windhoek from Zambia and Angola on June 12, 1989, in the first flights of a UN-sponsored airlift that is expected to return more than 41,000 Namibians to their homeland over a six week period.

The repatriation came about as a result of the agreement for Namibian independence signed at the United Nations in 1988, which calls for free elections in Namibia--with participation by the Southwest Africa People's Organization (SWAPO)--on November 1.

° The Bulgarian government has forced thousands of its citizens of Turkish descent into exile in recent weeks. The expulsions are part of a five-year campaign of forced assimilation of Bulgaria's 900,000 member ethnic Turkish minority. The State Department estimated that 3,000 ethnic Turks have been expelled, according to the June 15 Washington Post, but Turkish border officials say they have accepted at least six or seven times that number.

REFUGEE RESETTLEMENT IN MINNESOTA

In this article, Governor Rudy Perpich of Minnesota surveys progress being made in Minnesota's refugee resettlement program, and the problems the state is confronting.

Roughly 37,000 refugees live in Minnesota; the majority of them came from countries located in Southeast Asia. These include approximately 15,000 Hmong, 8,000 Vietnamese, 6,500 Cambodians, and 5,000 ethnic Lao. Additional groups include refugees from Ethiopia, Afghanistan, Rumania, and the USSR. Although the current pace and number of refugees arriving in Minnesota do not rival the influx between 1979 and 1982, many individuals and families choose to settle here every year. During 1988, 2,700 refugees came to live in Minnesota--nearly 65 percent were Hmong.

Many people wonder why Southeast Asian refugees have settled in Minnesota. First, the local voluntary agencies have taken the initiative and responded to the State Department's request for resettlement sites. Also, many ethnic leaders have settled in the Minneapolis/St. Paul metropolitan area. In the case of the Hmong, for example, the resettlement of prominent clan leaders and the desire for family reunification have resulted in a large secondary migration. A third factor is that Minnesota has always had progressive social service policies, including humane public assistance programs, and we have made secondary education available to individuals beyond the age of eighteen.

In Minnesota, we are trying to address the needs of refugees through the coordination of private and public resources. Those providing services to refugees include voluntary agencies (such as Lutheran Social Services), Mutual Assistance Associations, individual sponsors, county social service agencies, and the Refugee Division of the Minnesota Department of Human Services. Other groups, such as the Council on Asian Pacific Minnesotans, the Minnesota Consortium, the Governor's Advisory Council on Refugees, and the Metropolitan Refugee Health Task Force, work to coordinate the efforts of those that provide direct services. One example of a recent cooperative effort to address the special needs of refugees is the Hearing Impaired Refugee Task Force. (See related story on page 13.) Through these groups, we are attempting to address the multitude of issues involved in refugee resettlement.

Our refugee resettlement program in Minnesota has aimed to ensure that a particularly vulnerable population does not become a permanent underclass. Though it is too soon to draw definitive conclusions, statistics suggest that this problem may be developing. Sixty percent of the Hmong, 43 percent of the Cambodians, and about 30 percent of the Vietnamese receive public assistance. In St. Paul, Asians occupy 75 percent of the public housing units; in Minneapolis they occupy 30 percent. It is crucial not to interpret these statistics as a failure on the part of the refugees; rather, the statistics may reflect a discrepancy between the assumptions on which we have based our public assistance and housing programs and the refugees' assumptions of successful resettlement. These trends, however, require us to rethink our resettlement policy.

Need for a New Resettlement Policy To develop effective and meaningful refugee programs, we must understand the magnitude of trauma many refugees have faced. While each group has faced its own particular catastrophe, as individuals they have all left loved ones behind in refugees camps or in their homeland. Many refugee families will never be united. Refugees commonly feel depression and grief over the loss of homeland, family, and status achieved in their home country. In addition, the tremendous barriers of language, culture, and education multiply the difficulty of adapting to American culture. For a number of refugees, these serious problems are made even worse by the experience of torture. The newly created Minnesota Center for Victims of Torture has uncovered many stories of torture, often witnessed by a spouse or children. This torture results in nightmares, isolation, and an inability to concentrate or perform routine activities. Current policies and programs do not adequately recognize the extent of trauma experienced by recent refugees. (See related story on page 12.)

Bob Anderson of the Minneapolis-based American Refugee Committee has identified the following three outdated assumptions in

the federal Refugee Resettlement Policy:

1. The model designed in 1975--for relatively better-educated Vietnamese refugees who had some prior exposure to Western culture--will work for everyone;
2. Refugees can become self-sufficient simply by providing them with a job; and,
3. Refugee resettlement is a short-term problem.

Federal policies that reflect these assumptions make it difficult to adequately resettle Southeast Asian refugees.

First, the model designed in 1975 is no longer appropriate. The refugees that arrived in the late 70s generally came from urban areas and were well educated. For the last eight years, most refugees arriving in Minnesota have been from the mountains of Laos or the rural farmlands of Cambodia and Vietnam. In English-as-a Second-Language classes, more than 70 percent of the adults have less than six years of schooling. These refugees have different problems than their predecessors; their problems demand different solutions.

Second, self-sufficiency involves much more than having a job. Finding a job for a refugee with little or no education and/or transferable skills is difficult. Finding jobs for refugees--within one year of their arrival--with which they can support a large family is difficult indeed. Yet this is the expectation. Though recent refugees may face additional barriers, they desire what every American desires: self-sufficiency and a promising future for their children. Resettlement policy needs to better tap that desire.

Finally, refugee resettlement is not a short-term problem. Besides the education and employment issues, resettlement involves a variety of social concerns that require a long-term commitment of time and resources. Teen-age child-bearing, the inability to speak English, depression, racism, and crime victimization are but a few of the problems affecting refugees. Most refugees face not one, but many of these problems.

<u>Minnesota's Commitment</u> Minnesota is committed to helping refugees participate fully in their new country.

We are committed to continued leadership development in the refugee community--leadership that will reduce political factions and foster a vision of shared purpose. The Cambodian community, long divided along political lines, is now coalescing to address the many problems facing their people. The executive directors of the Mutual Assistance Associations meet monthly to discuss and act on concerns of common interest. The Governor's State Advisory Council on Refugees advises the executive branch on refugee policy; the Council on Asian/Pacific Minnesotans advises the state legislature. Both of these bodies help to develop community leaders. The Refugee Division in the Department of Human Services is funding two programs to help develop youth leadership; they also provide technical assistance to the Mutual Assistance Associations on management and leadership development.

We are also committed to improving public awareness about the problems involved in refugee resettlement. We must invite increased consultation with private citizens and organizations not directly involved in resettlement. Most of the current program design has come from those experienced with social services or those who work directly with refugees. It is time for a purposeful expansion of the dialogue on this critical issue. While continued support and guidance are needed from agencies that serve refugees, we need to involve a larger number of private and public organizations for a truly successful resettlement program.

Lastly, we are committed to using state resources to support refugee resettlement. I am requesting that the 1989 Minnesota State Legislature provide $2 million over the next two years to fund mental health and social readjustment programs for refugees; programs for Asian youth; bilingual case managers for Minnesota's welfare reform program; and bilingual interpreters at health care facilities. These initiatives represent a needed departure from complete dependence on federal programs.

We are proud of our state's history of responding to people in need; we look forward to the contributions that refugees will make to the vitality of our state. We have high expectations for these refugees and are willing to provide them with the necessary tools to share in the opportunities available to all citizens of our great nation.

Projects and Programs

MINNESOTA CENTER HELPS VICTIMS OF TORTURE HEAL HIDDEN SCARS

"Torturers don't just break the body. They strive to break the soul." So say the staff of the Center for Victims of Torture in Minneapolis. There, doctors, psychologists, and social workers try to help refugees and others who have been victims of torture to overcome the trauma of their past experiences and rebuild their lives.

The center was established in 1985, after a task force appointed by Minnesota Governor Rudy Perpich recommended its creation (See Refugee Reports, Volume VI, Number 7). Although many agencies that serve refugees have treated victims of torture, the Minneapolis Center was the first facility established in the United States specifically for this purpose.

The center now has five full-time staff members, including an executive director, clinical director, clinical psychologist, and four part-time staff--a physician, psychiatrist, social worker, and a second psychologist. They hope to add a physiotherapist to the staff later this year. The center does not receive any public funds. Its funding comes exclusively from foundations and private donations, although it receives in-kind assistance such as medical equipment from local hospitals and other assistance from the University of Minnesota.

Since it officially opened its doors, the center has received 269 referrals or calls for help from victims of torture. Of those, 162 were from individuals who fit the center's guidelines that clients be victims of political torture. Seventy of these 162 clients have received direct services from the center. Another 12 individuals, who were from outside Minnesota, received indirect assistance in that center staff traveled to the client's home area to train staff in local agencies working with the individual, and the remainder were referred to other agencies or given information.

An estimated 85-90 percent of the center's clients are from Minnesota. In some cases, however, the center accepts out-of-state referrals if a local group is able to sponsor the individuals and provide support during their stay in Minneapolis.

Torture Center Treats Refugees from Around the World The center's clients have come from a wide range of countries, which is not surprising as Amnesty International has documented that at least one of every three countries in the world has tortured or cruelly treated prisoners in its custody. The center treats more refugees from Ethiopia than from any other country, followed by refugees from El Salvador and Cambodia. Other clients are from South Africa, Iran, and eastern Europe. Recently, the center has begun to help a number of Vietnamese and Laotians who have been in "reeducation" camps.

Approximately 60 percent of the center's clients are refugees who have been resettled in the United States. Many of its other clients are undocumented Central Americans.

The center refers undocumented clients who wish to apply for political asylum to the Minnesota Lawyers' International Human Rights Committee, which helps them with the application process. According to Carl Soderbergh, staff attorney at the Lawyers' Committee, the organization has been increasingly successful in helping clients referred by the torture center to obtain political asylum. Mr. Soderbergh attributes this to an increased willingness on the part of the Immigration and Naturalization Service and immigration judges to accept evidence of the physical and psychological effects of torture.

Victims of Torture Need "Feeling of Safety" The center is located in a small house near the campus of the University of Minnesota. The staff chose a house rather than an institutional building in order to create a welcoming, non-threatening atmosphere for its clients, who are generally anxious and need reassurance that the center and its staff are safe.

Treatment is particularly intensive during the first weeks, when staff and clients strive to develop the trust which is essential to treatment. "One of the things about this particular type of trauma [torture]," says the center's clinical director, Barbara Chester, "is that it is a multi-faceted attack on every aspect of a person's life: physical, emotional, spiritual, family. In

order to deal with this, they need some stability and a feeling of safety--some anchor--in their life."

The center's staff enhance that stability for the clients by helping build a supportive network for the client in the community. They provide training to other agencies working with the center's clients and to community groups that volunteer to help. According to Chester: "We are most successful with the people who have support from the community."

The average length of treatment for the center's clients is eight months to one year. Not all clients are successful in overcoming their trauma, but the center's staff are confident--and hopeful--about the work that they do. "Recovery is possible," says Chester, "These people have gone through probably the worst trauma that can happen to a person, and yet their spirit and vulnerability survive." "It's hopeful work."

For further information, contact: The Center for Victims of Torture, 722 Fulton Street Southeast, Minneapolis, MN 55414. (612) 331-1820.

DEAF REFUGEES IN MINNESOTA LEARN AMERICAN SIGN LANGUAGE

When Peng Vang fled his native Laos in 1975, he was able to hear. But during three years in a Thai refugee camp, his hearing started and continued to deteriorate. "It is unclear if the hot climate there was the cause, or the malnutrition, lack of food, and the crowded area where we stayed or lack of medical attention," said Peng Vang, "but by mid-1977, I could not understand speech.

Becoming deaf was a particularly frightening experience for Peng Vang. He had two cousins back in Laos who had been deaf. They were relegated to the dirtiest, harshest work in the village, treated as servants, living in rags. He remembered what happened to them during the arduous trek out of Laos. For two months, the Hmong villagers walked, scavenging what little food they could along the way. Peng Vang's two deaf cousins starved, never making it to safety.

Peng Vang not only survived, but his resettlement in the United States in all likelihood opened opportunities for him that he never would have had in Laos.

But his struggle started before he reached the United States. While in the Thai refugee camp, Peng Vang found an English dictionary and studied it. "I taught myself to read and write English," he said, "but not how to pronounce it. Just the grammar and meanings of words."

After enrolling in high school in St. Paul, Minnesota, Peng Vang went on to earn a degree in electronics engineering technology from Mankato State University.

Today, Peng Vang works as a case worker with the Deaf Refugee Education Program (DREP) in the St. Paul Public Schools. He says that "electronics is still an alive dream," but that he feels a need for "helping my deaf refugee fellows to get services that otherwise would not be available to them" because of the difficulties they have in communicating.

<u>Program Combines Sign Language Instruction with Social Services and Cultural Orientation</u> There are currently 23 refugees enrolled in the DREP. In addition to Hmong refugees, there are also Cambodians, ethnic Lao, and Hispanics. Vietnamese have also been served by the program.

The program grew out of volunteer work on behalf of deaf refugees by Metro Hearing Impaired Seniors that started in 1985. Now the program is sponsored by the St. Paul Public Schools, and partially funded by the State of Minnesota refugee office.

In addition to classroom instruction, DREP features job skills training and frequent field trips. The Ramsey County Hospital has also worked closely with DREP in providing health education for the hearing impaired refugees.

For severely hearing impaired refugees, said Joan Harris Stephan, coordinator of the DREP, "the American Sign Language (ASL) they are taught here is their first formal language." She said that many have not really acquired their native languages, but instead have used gestures or mime, on which ASL can build. By the same token, those who are not "too English" in their thinking, who can "look for pictures or concepts and not a 'word order' or syntax will be open to understanding and communicating in cross-cultural gestures or mime." Stephan, who is herself hearing impaired, explained that ASL is at the halfway point between gestures

Joan Stephan (back to photo, on right) working with hearing impaired refugee students. Photo credit: RHIA/DREP

and mime on one side and English on the other. "The knowledge of ASL helps transcend the challenges of English acquisition," she said.

In fact, the diverse cultural and language backgrounds of the students and teachers do not seem to present a serious obstacle to their communication, and to the closeness that has developed among them.

"The deaf refugees are as leery of Americans as their families are at first, Stephan said, "but when there are persons who communicate at their level--teachers, case managers, other concerned volunteers--they develop trust. Interestingly enough, they often become closer to deaf persons and to hearing persons who can sign than to their natural family members, because they are communicating and accepted as individuals with the same rights and privileges as those who hear."

Stephan added, "We often find that we have to advocate for the students in their homes because of the cultural attitude, which is not favorable to deaf persons in general."

Stephan also expresses concern about the deaf people remaining in Southeast Asia, who receive no formal education or special education services. "I do hope that those who have resettled here could advocate for services in the countries they've left through correspondence and contacts they make with relatives there."

Resources

REFUGEE HEALTH ISSUES TRACKED

The American Refugee Committee's Refugee Health Issues Center in Minneapolis, Minnesota tracks the latest developments in refugee health care in Refugee Health Issues Quarterly.

The newsletter tracks the epidemiology of health problems of particular concern to refugee populations. Recent issues include discussions of lead poisoning and traditional Southeast Asian medicines, and the incidence of AIDS in Asia and its implications for refugee populations.

The April issue updates the occurrence of Sudden Unexplained Death Syndrome (SUDS). It reports ten cases among Southeast Asian refugees in the United States from October 1, 1986 through April 30, 1988. In the Thai refugee camp, Phanat Nikhom, 760 cases per 100,000 were reported among Hmong, Lao, and Cambodian men between the ages of 25 and 44. This is eight times the highest SUDS death rate documented among Southeast Asian refugees in the United States.

Although the number of reported SUDS deaths in the United States has declined, Refugee Health Issues Quarterly notes that the number of Southeast Asian refugee admissions has declined and that "the decline in SUDS cases may be related to this decline in newly arrived SEA refugees, since most deaths occur within the first two years after arrival in the United States."

The report notes, "Although studies have suggested that a structural abnormality of the cardiac conduction system and stress may be risk factors for SUDS, the cause of the deaths remains unknown."

Refugee Health Issues Quarterly reports that negotiations are underway for a study to determine the relationship between thiamine (vitamin B) intake and electrical abnormalities of the heart among refugees at Phanat Nikhom (see Refugee Repo[illegible], Vol. VIII, No. 2).

Refugee Health Issues Quarterly includes a "bulletin board" of meetings, resources, and position openings in the field of refugee health.

Subscriptions are free of charge. To be placed on the mailing list, call or write Garth Osborn, Manager, Refugee Health Issues Center, American Refugee Committee, 2344 Nicollet Avenue South, #350, Minneapolis, MN 55404. (612) 872-7060.

NEWSLETTER KEEPS TABS ON SOUTHEAST ASIAN REFUGEE STUDIES

Reviews of books, articles, and studies relating to Southeast Asian refugees are easily accessible through the Southeast Asian Refugee Studies Newsletter.

The quarterly newsletter, published by the Southeast Asian Refugee Studies Project of the University of Minnesota, covers the wide range of disciplines studying Southeast Asian refugees, including health, mental health, history, sociology, linguistics, education, and demography.

Reviews of current literature and resources are annotated, including information for ordering the items being reviewed. The Southeast Asian Studies Project also produces its own publications, including some of the most specialized studies available on the Hmong refugee population.

To be placed free of charge on the newsletter mailing list, send your name and address to the Southeast Asian Refugee Studies Project, CURA, University of Minnesota, 330 Hubert Humphrey Center, 301 19th Avenue South, Minneapolis, MN 55455. (612) 625-5535.

AGING MAGAZINE FOCUSES ON OLDER REFUGEES

Issue No. 359 of Aging, a magazine published by the Office of Human Development Services, Department of Health and Human Services, focuses on the specific needs, problems, and services available for older refugees, immigrants, and minorities.

The magazine features articles on language learning, health, mental health, and employment as they relate to elderly refugees, and focuses on state and local programs for older refugees, such as a Philadelphia project in which college students tutor older refugees in English and a Minnesota recreational and educational project in which older Vietnamese refugees produced an illustrated magazine, Old Pines in the Land of Ten Thousand Lakes.

Aging is available for $2.00 from: Superintendent of Documents, Government Printing Office, Washington, DC 20402-9371.

RESOURCES ON AFRICAN HUMAN RIGHTS COMPILED

Human Rights Internet has published Africa: Human Rights Directory and Bibliography, an extensive collection of information about human rights in Africa and the organizations active in this field. The 308-page directory includes a bibliography with more than 1,000 entries with listings for each country on the continent. Cross-indexing by subject, geography, author, and organization increases the usefulnesss of the volume, which is also enhanced by handsome and haunting illustrations.

The directory, issued February 1989, is available for $35 from Human Rights Internet, Harvard Law School, Pound Hall, Room 401, Cambridge, MA 02138. Subscriptions to Human Rights Internet Reporter, published four times per year, are available for $40 for individuals, $60 for institutions.

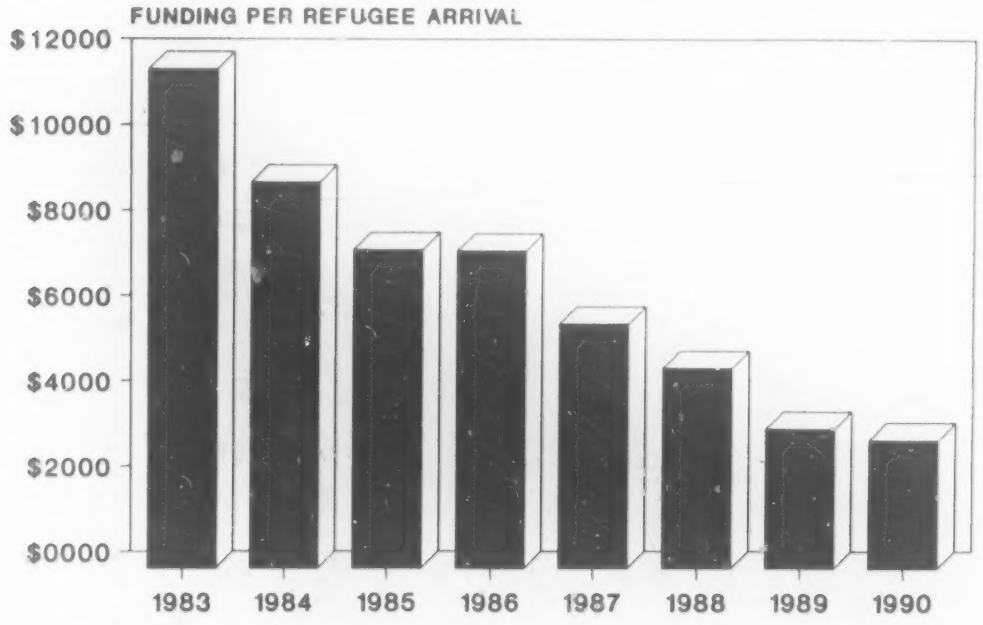
Meetings and Conferences

"Emerging Health Issues with Refugees" is the title of a conference to be held in Eau Claire, Wisconsin, on September 13-14, 1989. The conference is sponsored by the Wisconsin Refugee Health Program in cooperation with health agencies in Wisconsin and Minnesota. For information, call Tam Phan, at (608) 267-9000, or Ellen Rau, at (612) 347-5697.

Reader Exchange

The American Bar Association is seeking an experienced asylum attorney to coordinate a pro bono asylum project on the Texas border. Contact Carol Wolchok, ABA, 1800 M St., NW, Washington, DC 20036. (202) 331-2268.

FEDERAL REFUGEE ASSISTANCE FUNDING PER REFUGEE ARRIVAL



in constant 1989 dollars, adjusted for changes in the Consumer Price Index

Source: County of Los Angeles, Chief Administrative Office.

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